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December 22, 2011

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W., TW-A325
Washington, DC 20554

**NOTICE OF EX PARTE
CONTACT**

**Re: WC Docket No. 11-141; Petition of GCB Communications, Inc., d/b/a Pacific
Communications and Lake Country Communications, Inc., for Declaratory Ruling**

Dear Ms. Dortch:

On December 19, 2011, Robert Aldrich and I on behalf of the American Public Communications Council met with William Dever, Denise Coca, and Michelle Berlove of the Competition Policy Division of the Wireline Competition Bureau. Also present was Joel Marcus of the General Counsel's office. Glenn Hotchkiss, representing the Petitioners in the above captioned matter also participated by telephone.

During the meeting, the question of whether there are any end offices that are not required to provide payphone-specific coding digits arose. We stated that so far as we could recollect, the FCC had granted permanent waivers from the requirement for only end offices that were non-equal access end offices at the time of the *Coding Digit Waiver Order, Implementation of the Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996*, Memorandum Opinion and Order, 13 FCC Rcd 4998 (1998), and end offices where it was not possible for the LEC to recover the costs of implementing Flex-ANI within a reasonable time through a tariff charge imposed on payphone service providers ("PSP"s). (The Bureau did grant a number of temporary, relatively short term waiver requests for some LECs to complete implementation of the capability to transmit payphone-specific coding digits.) We have now verified that in fact it was only these two very limited classes of end offices that were granted permanent waivers. Moreover, as to end offices that were non-equal access end offices, the waivers were only for the period until the switches were upgraded or replaced. The specific discussion of this issue is at 13 FCC Rcd 5036-41, ¶¶74-78. The Bureau rejected other requests for waivers from the requirement that end offices be capable of generating payphone-specific coding digits. *See, e.g., Id.* ¶79.

Please feel free to call if you have any questions.

Ms. Marlene Dortch
December 22,, 2011
Page 2

Respectfully submitted,


Albert H. Kramer

cc: By Electronic Mail
Mr. William Dever
Ms. Denise Coca
Ms. Michelle Berlove
Mr. Joel Marcus